

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claims 1-12 are pending in the application.

Applicant hereby amends the application as required to perfect the priority claim under 35 USC §119 and 37 CFR §1.78(a)(5). Since the subject application was filed before November 29, 2000, the time periods of 37 CFR §1.78(a)(5)(ii) do not apply. See 37 CFR §1.78(a)(5)(ii)(A).

Claims 1-11 stand rejected under the judicially created doctrine of obviousness-type double patenting in view of claims 1-12 of U.S. Patent No. 6,522,728 to Willer ("Willer '728") in view of U.S. Patent No. 6,038,300 to Hartmann et al. Claim 12 stands rejected under the judicially created doctrine of obviousness-type double patenting in view of claims 1-12 of Willer '728 , Hartmann et al., and U.S. Patent No. 6,473,495 to Willer.

Applicant concurrently submits a Terminal Disclaimer to overcome the obviousness-type double patenting rejection of claims 1-12 based on Willer '728. Hence, it is believed claims 1-12 are in allowable form.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.



To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R.

1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-0687, under Order No. 95-304, and please credit any excess fees to such deposit account.

Respectfully submitted,

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